

S.B. Civil Revision Pet. No. 482/05
Vinod Shah Vs. Shri Vam Dev Singh

Date of order : 16.3.2007

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. Usman Ghani for the petitioner.

Mr. Sajjan Singh assisted by Mr. Durga Ram for the respondents.

The case comes up on an application but on the consent of the parties matter is finally heard.

The petitioner has challenged the impugned order dated 18.2.2005 by which appeal of the petitioner was dismissed on the ground of limitation.

It is contended by the petitioner that appeal was barred by only two days and reasons for delay in filing the appeal were explained properly and it ought to have been condoned.

Learned counsel for the respondent opposed the revision petition.

I have considered the arguments and perused the reasons stated in the application and also perused the impugned order. I am

of the considered opinion that delay in filing the appeal is properly explained and looking to the facts and circumstances of the case delay is deserves to be condoned.

In view of above and for the reasons given in the application and arguments advanced before me, the application for condonation of delay is allowed and the delay in filing the appeal before the learned appellate court is condoned. The revision petition is disposed of and impugned order is set aside with a direction to the learned appellate court to hear the appeal on the merit most expeditiously, preferably within four months from the receipt of this order.

No order as to cost.

(BHAGWATI PRASAD), J.

ns.